

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: June 15, 2005

Division: BOCC1

Bulk Item: Yes ☐ No ☐

Department: BOCC1

Staff Contact Person: Jana Johnson-Willi

AGENDA ITEM WORDING: Approval for resolution of Board of County Commissioners of Monroe County extending joint stipulated settlement agreement governing development on Shark Key.

ITEM BACKGROUND: On June 30, 1995 the Circuit Court of Monroe County entered a stipulated final judgment approving a joint stipulated settlement agreement among Shark Key Development Corp., Monroe County and DCA governing development on Shark Key and had a growth period of ten years. Out of the lots permitted there are eight remaining lots to be developed and it is requested that we extend this agreement for four years awarding two permits per year. The purpose of this resolution is to spread out development on Shark Key over a longer period of time so as to not use up Lower Keys ROGO units. At the end of the fourth year if not all eight units have been applied for they will be lost and there will be no further extensions.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

TOTAL COST: _____

BUDGETED: Yes ☐ No ☐

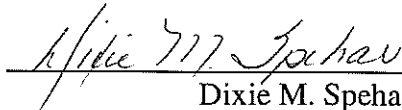
COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☐ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty _____ OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL:


Dixie M. Spehar, Mayor

DOCUMENTATION: Included to follow Not Required _____

DISPOSITION: _____

AGENDA ITEM # _____

RESOLUTION NO. -2005

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA EXTENDING JOINT
STIPULATED SETTLEMENT AGREEMENT GOVERNING
DEVELOPMENT ON SHARK KEY.**

WHEREAS, on June 30th, 1995 the Circuit Court of Monroe County entered a Stipulated Final Judgment approving a Joint Stipulated Settlement Agreement among Shark Key Development Corp., Monroe County and the State of Florida Department of Community Affairs, governing development on Shark Key; and

WHEREAS, the Joint Stipulated Settlement Agreement resulted in a slow and orderly pattern of growth for a period of ten (10) years, as set forth in the schedule of development provided in the Agreement; and

WHEREAS, the potential end of the Joint Stipulated Settlement Agreement has caused a highly accelerated level of development applications which will adversely affect R.O.G.O. allocations in the lower keys; and

WHEREAS, it is in the best interest of Monroe County, Florida to continue the slow and orderly growth upon Shark Key;

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that

1. The Board does hereby extend the termination date of the Joint Stipulated Settlement Agreement set forth in Paragraph 9 of the Agreement an additional four (4) years for the lots described in Exhibit A attached hereto, with single family residential permits issued not to exceed two in the first year, and thereafter, cumulatively, an additional two permits per year. This permitting allotment shall allow, for example, but not be limited to: two permits in year 1, one permit in year 2, three permits in year 3, and two permits in year 4.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 15th day of June, 2005.

Mayor Spehar
Mayor Pro Tem McCoy
Commissioner Nelson
Commissioner Neugent
Commissioner Rice

(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


SUZANNE A. HUTTON
ASSISTANT COUNTY ATTORNEY

Date 6/11/05

EXHIBIT "A"

SHARK KEY DEVELOPMENT

Legal Description of Shark Key Property

Lots 1 and 8 of Block 3; Lots 1, 2, and 4 of Block 4; Lots 9, 10 and 16 of Block 5 of the SHARK KEY SUBDIVISION as recorded in the Amended and revised Plat of Shark Key, Plat Book 7, page 49, as recorded in the Public Records of Monroe County, Florida.

TOTAL :

Block 3:	2
Block 4:	3
Block 5:	<u>3</u>
Total Lots:	8